Commissioner of Patents and Trademarks ATTENTION: Assistant Commissioner for Patents

Washington, D.C. 20231

Applicant(s): Markley et al.

Appln No.:

09/843,325

Filed:

April 26, 2001

For:

**ROTARY ACTUATING** 

HYDRAULIC TENSIONER

Group

Art Unit:

3682

Examiner:

Marcus Charles

## **PATENT**

Attorney Docket No.DKT99107

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and

Trademarks, Washington, D.C. 20231

04/23/03 Date

. Birmingham Registration No

torney for Applicants

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is being submitted in accordance with 37 C.F.R. §§1.97 - 1.98 in connection with the above-identified application. The following documents are listed on Form PTO/SB/08A which accompanies this Information Disclosure Statement.

## **U.S. PATENTS**

PATENT NO.	INVENTOR(S)	ISSUE DATE		
2,210,276	Bremer	August 6, 1940		

## OTHER

European Search Report for Application No. 02252836.8 dated February 19, 2003.

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Pursuant to 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b).

The Commissioner is hereby authorized to charge any fees which may be required in this application to Deposit Account No. 06-1135.

April 23, 2003

Date

FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, Illinois 60603-3406 Telephone: (312) 577-7000

Facsimile: (312) 577-7007 Information Disclosure Statement-1 Jon A. Birmingham Registration No.

51,222

APR 3 0 2003

GROUP 3600



PTO/SB/0	<b>X</b> = 570.1	440		Application Number	09/843,325	
APENTANO.	for Form PTO-1	449		Filing Date	April 26, 2001	
	PMATION			First Named Inventor	Markley et al.	
STA	TEMENT	BY AP	PLICANT	Art Unit	3682	
(use as many sheets as necessary)				Examiner Name	Marcus Charles	
Sheet	1	of	2	Attorney Docket	DKT99107	

			U.S. PATENT D	OCUMENTS		
Examiner	Cito	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages	
	No.1	Number-Kind Code <sup>2</sup>			or Relevant Figures Appea	
		US-2,210,276	08/06/1940	Bremer		
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
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Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Drawline through citation if not in conformance

and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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		Application Number	09/843,325	
1,	PTO/SE/08A Substitute for Form PTO-1449	Filing Date	April 26, 2001	
-	INFORMATION DISCLOSURE	First Named Inventor	Markley et al.	
	STATEMENT BY APPLICANT	Art Unit	3682	
	(use as many sheets as necessary)	Examiner Name	Marcus Charles	
	Sheet 2 of 2	Attorney Docket	69484	

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examin er Initials*	Cit e No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²			
		European Search Report for Application No. 02 25 2836 dated February 4, 2003.				
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Drawline through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.